



The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner

March 28, 2006

The Honorable Bob Odell  
Energy and Economic Development Committee  
Legislative Office Building, Room 102  
Concord, NH 03301

**SUBJECT: HB 1433, an act establishing a committee to study secured landfills**

Dear Chairman Odell and Members of the Committee:

HB 1433 seeks to establish a committee to study whether the state can properly operate secured landfills to be used primarily for the disposal of demolition debris and other items which cannot be recycled, reused, or otherwise found useful and to establish a moratorium on the disposal of construction and demolition debris (C&D) by incineration until December 31, 2007.

The New Hampshire Department of Environmental Services (DES) would like to present the following facts for the Committee to consider. There are currently seven secure landfills located throughout New Hampshire that are capable of accepting C&D debris. The cost for siting, design, and construction of a new secure "state" landfill for this purpose is estimated to cost \$10-\$15 million.

It is also important for the Committee to know that these monofill landfills are not without problems. The experience with C&D monofill landfills in Florida purposely constructed to dispose of hurricane generated C&D debris is they have great potential for emission of hydrogen sulfide gas resulting from biological decomposition of gypsum drywall. Also, a C&D monofill landfill in Ohio has recently been added to the National Priorities (SuperFund) List because of hydrogen sulfide emissions. In that case, the state of Ohio, owner of the landfill and a potentially responsible party under Superfund, is liable for a costly cleanup.

Because of the cost and the potential liability associated with such a landfill, DES believes a better approach to landfilling C&D is to support efforts for recycling. Recycling of C&D saves natural resources and landfill capacity. The wood component of C&D is useful for the generation of energy and the metal and aggregate components are marketable. One method to encourage the recycling of C&D is for the state to impose a tipping fee surcharge on the landfilling of unrecycled C&D. A surcharge may have the added benefit of making the instate disposal of out-of-state C&D uneconomical. DES is currently working on proposed legislation that would impose such a surcharge.

The issues involving construction and demolition debris (C&D) are both technically complex and sensitive. The C&D study committee established by HB 517 during the last legislative session has yet to complete its study and issue its report. DES believes it is important to await the study committee's report before passing C&D legislation that might otherwise frustrate the committee's work.

DES appreciates the opportunity to testify on this bill. If you have any questions regarding this letter of testimony, please do not hesitate to call me or Tony Giunta, P.G. at 271-2905.

Sincerely,



Michael P. Nolin  
Commissioner

cc: Representative Richard Kennedy  
Senator Letourneau  
Senator Boyce  
Senator Bragdon  
Senator Burling